

REMARKS

Claims 1-5, 8-11, 14-16, and 19-20 are pending of which claims 1, 8, 15 and 19 are independent. In this Amendment, claims 1, 8, 15, and 19 have been amended to clarify an aspect of the invention. Support is found in, for example, paragraphs [0043] and [0050] of the application-as-published. Care has been undertaken not to introduce new matter.

Claim Rejections Under 35 U.S.C. §103(a)

Claims 1-5, 15 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Inoue et al. (U.S. Patent No. 5,344,498, hereinafter “Inoue”) in view of Neerinck et al. (D.G. Neerinck and T.J. Vink, Thin Solid Films 278 (1996) 12-17, hereinafter “Neerinck”) and in further view of Adurodija et al. (F.O. Adurodija, H. Izumi, T. Ishihara, H. Yoshioka and M. Motoyama, J. Appl. Phys. 88(2000) 4175-4180, hereinafter “Adurodija”). The rejections are respectfully traversed for the following reasons.

The proposed combination of Inoue, Neerinck and Adurodija does not teach or suggest the claimed photovoltaic device in claims 1 and 15.

Accordingly, as each and every limitation must be disclosed or suggested by the cited prior art references in order to establish a *prima facie* case of obviousness (*see*, M.P.E.P. § 2143.03) and for at least the foregoing reasons the proposed combination of Inoue, Adurodija and Neerinck fails to do so, it is respectfully submitted that claims 1 and 15 and the claims dependent thereon are patentable over the combination of Inoue, Adurodija and Neerinck.

Claims 8-14, 19 and 20 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Nakamura et al. (U.S. Patent No. 7,030,413, hereinafter “Nakamura”) in view of Vink et al.

(T.J. Vink, W. Walrave, J.L.C. Daams, P.C. Baarslag, J.E.A.M. van den Meerakker, Thin Solid Films 266 (1995) 145-151, hereinafter “Vink”) and further in view of Adurodija. The rejections are respectfully traversed for the following reasons.

The proposed combination of Nakamura, Vink and Adurodija does not teach or suggest the claimed photovoltaic device in claims 8 and 19. Therefore, claims 8 and 19 and claims dependent thereupon are patentable over the combination of Aurodija, Nakamura and Vink.

Conclusion

Applicant submits that all of the claims are in condition for allowance. Accordingly, this case should now be ready to pass to issue; and Applicant respectfully requests a prompt favorable reconsideration of this matter.

Applicants submit that all of the claims are in condition for allowance. Accordingly, this case should now be ready to pass to issue; and Applicant respectfully requests a prompt favorable reconsideration of this matter.

Application No.: 10/790,759

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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